

Amendment to the Drawings

The attached replacement sheets make changes to Fig. 1a, 1b, 1c, 2a, 2b, 2c, and 3, and replace the original sheets with Figs. with 1a, 1b, 1c, 2a, 2b, 2c, and 3.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Claims 1-27 are pending in this application. Claims 1, 14, 16, 22, and 27 are independent.

In section 1 on pages 2-3, the Office Action objects to the drawings because they do not include a descriptive legend for acronyms N11, ... N33, Na, Nb, NG1, ... NG3, NMS, NTD, EMS, and IF1, ... IF3. Replacement drawings are submitted to bring the format into compliance. With reference to MPEP 608.02(p), quoting 37 C.F.R. §1.121(d)(2), Applicant notes that contrary to the Office Action's assertion, annotated drawings are optional, not a requirement under the current rules. Thus, annotated sheets showing the changes in red are not submitted because they are optional under 37 C.F.R. §1.121(d)(2). For at least these reasons, it is respectfully requested that the objection to the drawings be withdrawn.

In section 3 on pages 3-9, the Office Action rejects claims 1-27 under 35 U.S.C. §102(e) as being allegedly anticipated by Naik et al. (US 2003/0133556) (hereinafter "Naik"). This rejection is respectfully traversed for at least the following reasons.

Claim 1 recites, "[i]n a communication network provided with a NMS ... and managing one or more EMS's, each EMS maintaining a respective EMS topology map, a method of synchronizing said NMS map with an EMS map, comprising: ... automatically sending, from said NMS to said EMS, a change request comprising said topology change data; and updating said EMS map" (emphasis added).

In contrast, Naik discloses a method for a single, hybrid NMS/EMS (NETSMART) to manage network elements (NE's) directly without an intermediary or supplementary EMS

(Paragraphs 109, 273, and 1560). Naik does not disclose, teach, or suggest a method for the synchronization of topology map data between a separate NMS and EMS, each of which maintains its own topology map.

Further, it is asserted in the Office Action that an NE is equivalent to an EMS. However, by definition, NE's and EMS's are substantively and functionally different devices/systems. Naik does not disclose, teach, or suggest that the NE database contains topology map data or that an NE is equivalent to an EMS as asserted by the Office Action.

Applicant respectfully submits that claims 2-13 are allowable based at least on their dependence from claim 1 for the reasons stated above in connection with claim 1.

Claim 14 is essentially the same as claim 1, except the NMS and EMS are reversed: the user request is made at the EMS and the change request is sent from the EMS to the NMS. This is irrelevant to the distinctions argued above between claim 1 and Naik. Thus, applicant respectfully submits that claim 14 is allowable for the reasons stated above in connection with claim 1.

Applicant respectfully submits that claim 15 is allowable based at least on its dependence from claim 14 for the reasons stated above in connection with claim 14.

Claim 16 recites, "means for generating from said user request a change request comprising said topology change data and automatically sending said change request to an EMS affected by said user request" (emphasis added).

Naik discloses a means for updating an NE or NMS (NETSMART) via database reconciliation (Paragraph 109). However, Naik does not disclose, teach, or suggest means for

sending a change request to an EMS. There is only a single NMS in the system of Naik which manages NE's directly with no intermediary or supplementary EMS (Paragraphs 25, 73, and 1560).

Applicant respectfully submits that claims 17-21 are allowable based at least on their dependence from claim 16 for the reasons stated above in connection with claim 16.

Claim 22 recites, "[i]n a communication network provided with a NMS ... an EMS monitored and controlled by said NMS, comprising: an EMS topology map including a subset of network entities and hierarchical information on location of said network entities in said subset; means for receiving from said NMS a change request comprising topology change data; and means for changing said EMS map according to said topology change data" (emphasis added).

In contrast, Naik discloses a communication network wherein a single, hybrid NMS/EMS (NETSMART) manages network elements (NE's) directly without an intermediary or supplementary EMS (Paragraphs 109, 273, and 1560). Naik does not disclose, teach, or suggest an EMS monitored and controlled by an NMS in a communication network. Furthermore, Naik does not disclose, teach, or suggest an EMS with means for receiving a change request from an NMS.

Naik discloses that an NE database may be synchronized with an NMS (NETSMART) database (Paragraph 273). It is asserted in the Office Action that an NE is equivalent to an EMS. However, by definition, NE's and EMS's are substantively and functionally different devices/systems. Naik does not disclose, teach, or suggest that the NE database contains topology map data or that an NE is equivalent to an EMS as asserted by the Office Action.

Applicant respectfully submits that claims 23-26 are allowable based at least on their dependence from claim 22 for the reasons stated above in connection with claim 22.

Regarding claim 27, the subject matter recited therein is similar to subject matter from claim 1 quoted above in that it relates to the synchronization of topology map data between a separate NMS and EMS. Thus, applicant respectfully submits that claim 27 is allowable for the reasons stated above in connection with claim 1.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-27 as being allegedly anticipated by Naik be withdrawn.

CONCLUSION

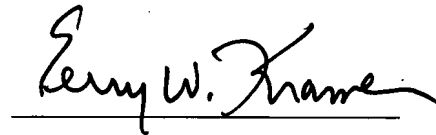
While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,

KRAMER & AMADO, P.C.

Date: September 26, 2007

A handwritten signature in black ink, reading "Terry W. Kramer", is written over a horizontal line.

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